

Notice of Allowability

Application No.

10/006,917

Examiner

Tan Le

Applicant(s)

LA SCOLA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/10/2003.
2. ☒ The allowed claim(s) is/are 20-22.
3. ☐ The drawings filed on 08 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This is the fourth office action for serial number 10/006,917.
2. The response after final filed on 11/10/03 has not been entered.
3. Claims 1-19 are to be canceled and claims 20-22 to be added by the following Examiner's amendment:

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Henry T. Brendzel on December 12/10/2003.

The application has been amended as follows:

Claims 1-19 have been canceled.

New claims 20-22 have been added as follows:

Claim 20. An assembly comprising:

a trough element having a trough opening along a long dimension thereof and two ends perpendicular to said long dimension, and
a support subassembly coupled to said trough element and adapted to be fixedly attached to an apparatus in a manner that causes said trough opening to generally face a vertical surface of said apparatus at a distance from a nearest face of said apparatus that is greater than 0 inches;
said subassembly including at least two attachment structures, and each of said structures includes two elements that are connected relative to each other at an adjustable angle, thereby enabling said trough opening to be at an adjustable angle relative to vertical surface of said apparatus.

Claim 21. An assembly comprising:

a trough element having a trough opening along a long dimension thereof and two ends perpendicular to said long dimension; and
a support subassembly coupled to said trough element and adapted to be fixedly attached to an apparatus in a manner that causes said trough opening to generally face said apparatus at a distance from a nearest face of said apparatus that is greater than 0 inches, wherein said trough element includes slots in sides of said trough element to enable said trough element to be bent in a plane containing a long axis of said trough element and perpendicular to said sides.

Claim 22: An assembly comprising:

a trough element having a trough opening along a long dimension thereof and two ends perpendicular to said long dimension; and
a support subassembly adapted to be attached to an apparatus, and further adapted to be adjustably connected to said trough element;
said subassembly including at least two attachment structures, and each of said structures includes two elements that are connected to each other at an adjustable angle, thereby enabling said trough element to be at an angle other than a direct facing of said trough opening to a front vertical plane of said apparatus.

REASONS FOR ALLOWANCE:

5. The following is an examiner's statement of reasons for allowance: Neither Tardoskegyi nor Kopish discloses a subassembly including at least two attachment structures and each of the structures includes two elements that are connected relative to each other at an adjustable angle, thereby enabling the trough opening to at an adjustable angle relative to vertical surface of the apparatus; and the trough element including slots in sides of the trough to enable the trough element to be bent in a plane containing a long axis of the trough and perpendicular to the sides as recited in claims 20, 22 and 21 respectively, in combination with other limitations recited in the claims, which are not found in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (703) 305-8244.

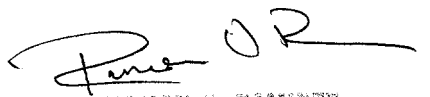
The examiner can normally be reached on Mon-Fri 9:00-6:00 and alternating Mon..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



Tan Le
Patent Examiner
AU 3632
December 10., 2003.



THOMAS D. SCHUBERT
PRIMARY EXAMINER
ART UNIT ~~363~~ 3632